IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 131 (SS) of 2007

Surendra Singh Rana,
S/o Sri Bahadur Singh Rana,
Government Milk Supervisor
(Under Suspension), attached
in Directorate of Dairy Development,
Uttarakhand, Haldwani,
Nainital. ……**Petitioner.**

Versus

Director,
Dairy Development, Uttarakhand,
Haldwani,
Nainital. **……..Respondent**

Hon'ble M.M. Ghildiyal, J

Heard Sri Manoj Tiwari, learned counsel for the petitioner and Sri N.P. Shah, learned standing counsel for State of Uttarakhand on behalf of respondent.

By means of this petition, the petitioner has prayed to issue a writ, order or direction in the nature of Certiorari to quash the order dated 29.01.2004 passed by respondent by which petitioner, who was working as Government Milk Supervisor, was suspended for certain charges.

Learned counsel for the petitioner has submitted that Inquiry Officer has been appointed, chargesheet was furnished to which petitioner has already replied and in fact, the Inquiry Officer has also submitted inquiry report to the Disciplinary authority, as alleged by the petitioner in para 7 of the writ petition. However, no final

order has been passed by the respondent till date.

It is surprising that petitioner has been placed under suspension right from 29.01.2004, though inquiry report has already been submitted by the Inquiry Officer but no final order has been passed by the Disciplinary Authority. More than three years have passed.

In the circumstances stated above, I deem it fit and proper to direct the respondent to pass final order on the inquiry initiated against the petitioner within a period of three weeks from the date of production of certified copy of this order. In case, no order has been passed by the respondent even after three weeks from the date of production of certified copy of this order, order dated 29.01.2004 passed by respondent shall not remain operative.

With this direction the writ petition as well as stay application no. nil of 2007 is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

March 1, 2007
SKSharma